IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

WP(C).No. 15761 of 2004(B)

PETITIONER:

M.P. PRABHAKARAN, S/O. V.C. KARUNAKARAN
NAIR, MADATHIL PETTAYIL VEEDU,
KARALASSERY, PALAKKAD.
(SUB ENGINEER K.S.E.B. OTTAPALAM, UNDER DISMISSED)

BY ADV. SRI.SAIGI JACOB PALATTY
SRI.SABU GEORGE
SRI.K.M.JOSEPH

RESPONDENTS:

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1. KERALA STATE ELECTRICITY BOARD
REPRESENTED BY ITS SECRETARY, VIDHYUTHI BHAVAN,
THIRUVANANTHAPURAM.

2. CHIEF ENGINEER (H R M)
KERALA STATE ELECTRICITY BOARD,
THIRAVANANTHAPURAM.

BY ADV. SRI.K.S.ANIL, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS EXHIBITS:

EXT.P1: COPY OF THE MEMO OF CHARGES DATED 14.01.2004.

EXT.P2: COPY OF THE EXPLANATION FILED BY THE PETITIONER DATED 07.02.2004.

EXT.P3: COPY OF THE JUDGMENT IN C.C. No.35/2000 DATED 11.02.2004 IN THE COURT OF THE ENQUIRY COMMISSIONER AND SPECIAL JUDGE, KOZHIKODE.

EXT.P4: COPY OF ORDER OF THIS HONOURABLE COURT IN CRL.M.A.2144/2004 IN CRL.A.NO.305/2004 DATED 20.02.2004 IN THE HIGH COURT OF KERALA AT ERNAKULAM.

EXT.P5: COPY OF THE PROCEEDINGS OF THE CHIEF ENGINEER H.R.M., K.S.E.BOARD, THIRUVANANTHAPURAM DATED 02.04.2004.

TRUE COPY

P.A.TO JUDGE

KURIAN JOSEPH, J.

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W.P.(C)NO.15761 OF 2004

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Dated this the 28th day of March 2007

JUDGMENT

Petitioner is aggrieved by the termination of his service. Evidently the termination is based on conviction in a criminal case. According to the petitioner, the matter is now pending as Criminal Appeal No.305/04. Therefore, this writ petition is disposed of making it clear that subject to the outcome of the criminal case, it will be open to the petitioner to approach the first respondent in which case the matter will be considered afresh by the first respondent.

KURIAN JOSEPH, JUDGE

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